



Item No: 13

Meeting Date: Monday, 31st October 2016

Glasgow City Integration Joint Board

Report By: David Williams, Chief Officer

Contact: Allison Eccles

Tel: 0141 287 6724

PUBLIC RECORDS (SCOTLAND) ACT 2011

Purpose of Report:	To outline the duties placed on the Glasgow City Integration Joint Board under the Public Records (Scotland) Act 2011 and to seek approval from the Integration Joint Board of the appointment of a Senior Responsible Officer for Records Management and an Operational Records Manager
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Recommendations:	The Integration Joint Board is asked to: <ul style="list-style-type: none">a) note this report;b) designate the Chief Officer as the Senior Responsible Officer for Records Management; and,c) designate the Head of Business Development as Operational Records Manager
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Implications for IJB:

Financial:	None
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Personnel:	None
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Legal:	The Public Records (Scotland) Act 2011 places a number of duties on the Integration Joint Board, these are outlined in this report. Where authorities fail to meet their obligations under the Act, the Keeper has powers to undertake records management reviews and issue action notices for improvement.
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Economic Impact:	None
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Sustainability:	None	
Sustainable Procurement and Article 19:	None	
Equalities:	None	
Risk Implications:	Failure to comply with the Public Records (Scotland) Act 2011 presents a legal and reputational risk to the Integration Joint Board	
Implications for Glasgow City Council:	None	
Implications for NHS Greater Glasgow & Clyde:	None	
Direction Required to Council, Health Board or Both	Direction to:	
	1. No Direction Required	✓
	2. Glasgow City Council	
	3. NHS Greater Glasgow & Clyde	
	4. Glasgow City Council and NHS Greater Glasgow & Clyde	

1. Purpose

- 1.1 The purpose of this report is to outline the duties placed on the Glasgow City Integration Joint Board under the Public Records (Scotland) Act 2011 and to seek approval from the Integration Joint Board of the appointment of a Senior Responsible Officer for Records Management and an Operational Records Manager

2. Background

- 2.1 The Public Records (Scotland) Act 2011 (the Act) came into force on 1 January 2013. It was the first new public records legislation for more than 70 years and made provision about the management of public records by named Scottish public authorities.
- 2.2 Part 1 of the Act, states that a named authority is required to prepare a Records Management Plan setting out arrangements for the management of the authority's records, and to submit the plan to the Keeper of the Records of Scotland for agreement. An executive summary of the requirements of the Act is appended to this report.
- 2.3 Glasgow City Integration Joint Board is a named authority under the Act, and is therefore obliged to prepare and implement a records management plan which sets out arrangements for the management of their records.

- 2.4 Glasgow City Council's Records Management Plan has been approved by the Keeper and is available at <http://www.glasgow.gov.uk/councillorsandcommittees/submissiondocuments.asp?submissionid=67023>. NHS Greater Glasgow and Clyde's Records Management Plan has not yet been approved or published.

3. Records Management within the Glasgow City Integration Joint Board

- 3.1 The Keeper of the Records of Scotland wrote to the Chief Officer on 18 August 2016 to outline the legal requirements on Integration Joint Boards under the Public Records (Scotland) Act 2011. A copy of that letter is appended to this report. It is understood that similar letters were sent to all Chief Officers in Scotland.
- 3.2 The Keeper's letter indicates that the Integration Joint Board will be given "several months' notice" before being formally invited to submit its Records Management Plan. Further detail regarding timescales has not been provided, however as of 1 September 2016 no Integration Joint Boards have been added to the Keeper's published schedule, which works on a six-month rolling timescale. It is reasonable to assume therefore that it will be at least six months before the Glasgow City Integration Joint Board is formally invited to submit its Records Management Plan, and potentially a significantly longer period dependent on the length of informal notice provided before the formal invitation to submit is issued.
- 3.3 Ahead of any further communication from the Keeper, work is underway to begin drafting a Records Management Plan for the Glasgow City Integration Joint Board and will be presented to a future meeting of the Board in due course. It should be noted that the Integration Joint Board will only hold a limited number of records in its own right, as records relating to operational delivery of services such as case files and medical records remain the responsibility of either the Council or Health Board. This distinction will need to be articulated within the Integration Joint Board's Records Management Plan.
- 3.4 When the Records Management Plan has been approved by the Integration Joint Board and agreed by the Keeper of the Records of Scotland, the Integration Joint Board will be obliged to keep and maintain their public records in accordance with their own Plan.
- 3.5 Where authorities fail to meet their obligations under the Act, the Keeper has powers to undertake records management reviews and issue action notices for improvement.

4. Responsible Officers

- 4.1 Development of the Records Management Plan for the Integration Joint Board will be led by Business Development, in conjunction with other areas of the business as necessary.
- 4.2 The Public Records (Scotland) Act 2011 requires that Records Management Plans identify and name two individuals, the Senior Responsible Officer for Records Management and an Operational Records Manager.
- 4.3 The Senior Responsible Officer for Records Management is the individual at senior level who has overall strategic responsibility for records management within the organisation. Most organisations with agreed Records Management Plans, including Glasgow City Council, have designated their Chief Executive or equivalent to this position. It is therefore proposed that the Integration Joint Board designate the Chief Officer as the Senior

Responsible Officer for Records Management for the Glasgow City Integration Joint Board.

4.4 The Operational Records Manager is an individual within the organisation, answerable to senior management, who has operational responsibility for records management within the organisation. As Records Management is a function related to the governance of the Integration Joint Board, it is proposed that the Head of Business Development be designated as the Operational Records Manager for the Glasgow City Integration Joint Board.

5. Recommendations

5.1 The Integration Joint Board is asked to:

- a) note this report;
- b) designate the Chief Officer as the Senior Responsible Officer for Records Management; and,
- c) designate the Head of Business Development as Operational Records Manager.

David Williams
Chief Officer
Glasgow City Integration Joint Board

18 August 2016

Dear Mr Williams

Public Records (Scotland) Act 2011 – Glasgow City Integration Joint Board

The Public Records (Scotland) Act 2011 (the Act) came into force on 1st January 2013. It is the first new public records legislation for more than 70 years and makes provision about the management of public records by named Scottish public authorities.

Glasgow City Integration Joint Board is one of the named authorities under the Act. As Keeper of the Records of Scotland, I write to remind you of your authority's obligations under the Act and to inform you how I intend to take forward the process of inviting authorities to submit their records management plans.

Part 1 of the Act, states that a named authority is required to prepare a records management plan (RMP) setting out arrangements for the management of the authority's records, and to submit the plan to the Keeper for agreement.

To assist an authority in preparing its RMP, the National Records of Scotland (NRS) has already published a model RMP and issued guidance about the form and content of plans to which an authority must have regard. This information can be found on the NRS website at: <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011>. The NRS implementation team will ensure that this is kept up to date.

The model RMP is an annotated list of the issues that a public authority should consider when formulating its records' policy. The model plan was drawn up between June 2011 and August 2012 in consultation with public authority records managers and other interested parties. It represents best practice and is supported by the guidance suite mentioned above.

It is my intention to give authorities several months notice before sending out a formal invitation to submit and I will publish a timetable of future invitations, covering a six month rolling period, which will be regularly updated. This period will allow the NRS implementation team time to discuss your authority's RMP with your Key Contact and to provide any assistance as necessary. The timetable will be published on the Public Records (Scotland) Act 2011 page of the NRS website at <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011/resources>.

At this stage, I recommend that you ensure that you have identified the member of staff who will be responsible for implementing your organisation's RMP going forward (the Key Contact). The Key Contact should get in touch with the NRS implementation team with a view to anticipating the letter of invitation, and make themselves familiar with the Keeper's model RMP on the NRS website.

In the meantime, should you require any further information regarding implementation of the Act please contact the implementation team at: Public_Records@nrscotland.gov.uk. Tel: 0131 535 1418.



Keeper of the Records of Scotland

To Senior Accountable Officers of Scottish Public Authorities

The Public Records (Scotland) Act 2011

Background

The Public Records (Scotland) Act 2011 (the Act) will be fully implemented on 1 January 2013. Named Scottish public authorities are required under the Act to manage their corporate records efficiently. To this end, each of these authorities must submit a formal records management plan (RMP) to the Keeper of the Records of Scotland (the Keeper) for his agreement. The Keeper has published a 'model plan' that explains the various elements he would expect to see in a public authority RMP. The named Scottish public authorities appear in a schedule to the Act.

What will happen?

Following implementation named authorities will be invited by the Keeper to submit their RMPs for his agreement. The Keeper expects to give a reasonable period of notice after this initial contact, probably several months, before being in receipt of an authority's RMP. Once agreed, the RMP will be filed by the Keeper for reference and an acknowledgement that the plan has been agreed will be published to the National Records of Scotland (NRS) website. The Act only permits the Keeper to review an authority's plan after 5 years, unless he has reason to believe an agreed plan is not being complied with. He does, however, urge all authorities to comply with the spirit of the Act by regularly reviewing and updating their plan.

What you must do

First you should determine whether your organisation is scheduled under the Act. Be aware that your authority may appear on the schedule under an umbrella term such as 'Special Health Boards' or 'Local Authorities'. This means that all special health boards and all local authorities are scheduled even though they are not individually named.

You must ensure that your authority has or is developing a RMP that is robust enough to gain the agreement of the Keeper. You must appoint a senior accountable officer to have overall responsibility for your authority's compliance with the Act, and someone with records management responsibility to carry out the day to day task of implementing the authority's records management policy. The Keeper will expect to be informed of the names of these responsible people.

The Keeper has set up an implementation team at the National Records of Scotland who will offer your records manager assistance.

You must be prepared to approve every aspect of your authority's RMP. Your 'sign-off' is vital evidence that the submitted RMP accurately reflects the policies and practices implemented in your organisation.

For more information:

Public Records (Scotland) Act 2011 and Schedule:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/22476.aspx>

The Keeper's Model Plan, online guidance and other information: <http://www.nrscotland.gov.uk/record-keeping/public-records-scotland-act-2011>

The Implementation Team: E-Mail – public_records@nrscotland.gov.uk